

It would not reduce the expense of litigation nor speed the decision of cases.

It is a proposal without precedent and without justification.

It would subjugate the courts to the will of Congress and the President and thereby destroy the independence of the judiciary, the only certain shield of individual rights.

It contains the germ of a system of centralized administration of law that would enable an executive so minded to send his judges into every judicial district in the land to sit in judgment on controversies between the Government and the citizen.

It points the way to the evasion of the Constitution and establishes the method whereby the people may be deprived of their right to pass upon all amendments of the fundamental law.

It stands now before the country, acknowledged by its proponents as a plan to force judicial interpretation of the Constitution, a proposal that violates every sacred tradition of American democracy.

Under the form of the Constitution it seeks to do that which is unconstitutional.

Its ultimate operation would be to make this Government one of men rather than one of law, and its practical operation would be to make the Constitution what the executive or legislative branches of the Government choose to say it is—an interpretation to be changed with each change of administration.

It is a measure which should be so emphatically rejected that its parallel will never again be presented to the free representatives of the free people of America.

SEVENTEENTH DAY

(Friday, June 25, 1937)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called and the following Senators were present:

Aikin	Davis
Beck	Hill
Brownlee	Isbell
Burns	Moore
Collie	Neal
Cotten	Nelson

Newton	Spears
Oneal	Stone
Pace	Sulak
Rawlings	Van Zandt
Redditt	Westerfeld
Roberts	Winfield
Shivers	Woodruff
Small	

The following Senators were absent and excused:

Head	Lemens
Holbrook	Weinert

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Roberts.

Leaves of Absence

Senator Head was granted leave of absence for today, on account of illness, on motion of Senator Collie.

Senator Lemens was granted leave of absence for today, on account of illness, on motion of Senator Aikin.

Senators Weinert and Holbrook were granted leaves of absence for today, on account of important business, on motion of Senator Burns.

Message From the Governor

The President laid before the Senate, and had read, the following message from the Governor:

Executive Office,

Austin, Texas, June 24, 1937.

To the Members of the Forty-fifth Legislature (In First Called Session):

I am disapproving and vetoing the following items of House Bill No. 1, Acts of the First Called Session of the Forty-fifth Legislature, which was received by me at the Governor's Office on June 21, 1937, for the following reasons, to-wit:

1.

Section 6, Page 6 for the reason that the appropriation of \$3,000.00 made to the Board of Water Engineers for the purpose of securing necessary and adequate quarters is inadequate to secure sufficient space as is required by such Board. Furthermore, it is only a question of a short time until the

State will be required to build an office building to house the already overcrowded State buildings, together with other departments that are now occupying rented quarters. I think the Highway Department should be willing to be a little crowded along with the other departments of State.

2.

Section 7, Subsection b, page 7. The appropriation for the Textbook Administration Division of the State Board of Education was vetoed by me in the general appropriation bill of the Forty-fifth Legislature in Regular Session at the request of the State Board of Education. I, therefore, for the same reason veto Section 7, Subsection b, page 7, which seeks to correct an erroneous repetition in such Textbook Administration Division which has been vetoed by me as aforesaid.

3.

Section 15, page 10. The law permitting race track gambling has been repealed and I vetoed the appropriation for the Racing Commission for the ensuing biennium. I, therefore, veto and disapprove said Section 15, page 10, which is an amendment to the appropriation for the Texas Racing Commission which was contained in S. B. 138, Regular Session of the Forty-fifth Legislature, which was my me vetoed and disapproved as aforesaid.

4.

Section 20, page 13, being an appropriation to the State Treasurer for the purpose of making refunds. I doubt the validity of this provision, which authorizes the State Treasurer to return funds that have been deposited in the Treasury without an act of the Legislature, which would appear to me to be the best method of correcting any errors made.

I am approving said House Bill No. 1, subject only to the items specifically vetoed in this message, and a copy of this message vetoing said specific items in House Bill No. 1 is ordered to be attached to the bill and filed with the Secretary of State.

Respectfully submitted,

JAMES V. ALLRED,

Governor of Texas.

Report of Conference Committee on Senate Bill No. 19

Senator Burns submitted the following report of the Conference Committee on Senate Bill No. 19:

Austin, Texas, June 24, 1937.

Hon. Walter F. Woodul, President of the Senate;

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences in Senate Bill 19, beg leave to report that we had the same under consideration and recommend that it do pass in the form and text attached hereto.

Respectfully submitted,

BURNS,
MOORE,
COTTEN,
BECK,
ISBELL,

On the part of the Senate.

LUCAS,
BRADBURY,
POWELL,
WELDON,
LOGGINS,

On the part of the House.

S. B. No. 19.

A BILL

To Be Entitled

An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the last Federal census had a population of not less than four hundred (400) and not more than four hundred and fifty (450) inhabitants, and in counties having not less than thirty thousand, four hundred (30,400) and not more than thirty thousand, six hundred (30,600) inhabitants according to the last Federal census, whether organized under General or Special laws; fixing the maximum of tax to be levied for school purposes in common school districts wherein a public free school building may have been destroyed by fire, or may be destroyed by fire, provided such districts lie within a county having a population of not less than thirteen thousand, six hundred and thirty (13,630) nor more than thirteen thousand, six hundred and ninety-nine (13,699),

according to the last preceding or any future Federal census, whether such common school district was organized under General or Special laws repealing all laws in conflict herewith, both General and Special; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In any independent school district having and including within its limits a city or town which according to the last Federal Census had a population of not less than four hundred (400) and not more than four hundred and fifty (450) inhabitants, and in counties having not less than thirty thousand, four hundred (30,400) and not more than thirty thousand, six hundred (30,600) inhabitants according to the last Federal Census, the school district trustees of the independent school district, whether such independent school district was created under the General Laws or any Special Law or Laws, shall have the power to levy and cause to be collected the annual taxes herein authorized, subject to the following provisions:

(1) For the maintenance of the public schools therein an ad valorem tax not to exceed One Dollar and Fifty cents (\$1.50) on the One Hundred Dollars (\$100) valuation of taxable property of the district;

(2) For the purchase, construction, repair or equipment of public free school buildings within the limits of such districts and the purchase of the necessary sites therefor, an ad valorem tax not to exceed Seventy-five (75c) Cents on the One Hundred Dollars (\$100) valuation of taxable property of the district, such tax to be for the payment of the current interest on and provide a sinking fund sufficient to pay the principal of the bonds which such districts are empowered to issue for such purpose;

(3) The amount of maintenance tax, together with an amount of bond tax of any such district shall never exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred Dollars (\$100) valuation of taxable property within such district; and if the rate of bond tax, together with the rate of maintenance tax voted in the district shall at any time exceed One Dollar and Fifty Cents (\$1.50) on

the One Hundred Dollars (\$100) valuation, such bond tax shall operate to reduce the maintenance tax to the difference between the rate of the bond tax and One Dollar and Fifty Cents (\$1.50);

(4) No tax shall be levied, collected, abrogated, diminished or increased, and no bond shall be issued hereunder, until such action has been authorized by a majority of the votes cast at an election held in the district for such purpose, at which none but property tax-paying qualified voters of such district shall be entitled to vote.

Sec. 1a. In any common school district wherein a public free school building may have burned or may burn or be destroyed by fire, such common school district being located within a county having a population of not less than thirteen thousand, nor more than thirteen thousand six hundred and ninety-nine (13,699), according to the last preceding or any future Federal Census, whether such common school district was created under the general laws or any special law or laws, the Commissioners Court of such common school district shall have the power to levy and cause to be collected the annual tax herein authorized, subject to the following provisions:

(1) For the maintenance of the public schools therein an ad valorem tax not to exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred Dollars (\$100) valuation of taxable property of the district;

(2) For the purchase, construction, repair, or equipment of public free school buildings within the limits of such districts and the purchase of the necessary sites therefor, an ad valorem tax not to exceed Seventy-five Cents (75c) on the One Hundred Dollars (\$100) valuation of taxable property of the district, such tax to be for the payment of the current interest on and provide a sinking fund sufficient to pay the principal on bonds which such districts are empowered to issue for such purpose;

(3) The amount of maintenance tax, together with the amount of bond tax of any such district shall never exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred Dollars (\$100) valuation of taxable property within such district; and if the rate of bond tax, together with

the rate of maintenance tax voted in the district shall at any time exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred Dollars (\$100) valuation, such bond tax shall operate to reduce the maintenance tax to the difference between the rate of the bond tax and One Dollar and Fifty Cents (\$1.50);

(4) No tax shall be levied, collected, abrogated, diminished, or increased, and no bond shall be issued hereunder, until such action has been authorized by a majority of the votes cast at an election held in the district for such purpose, at which none but property tax-paying qualified voters of such district shall be entitled to vote;

Sec. 2. All laws and parts of laws, both general and special, in conflict herewith are hereby repealed.

Sec. 3. The importance of this legislation and the crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall be in force and take effect from and after its passage, and it is so enacted.

The report was adopted by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

Report of Conference Committee on Senate Bill No. 13

Senator Westerfeld submitted the following report of the Conference Committee on S. B. No. 13:

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Conference Committee, appointed to adjust the differences between the Senate and the House, on S. B. No. 13, beg leave to report that we have agreed on the differences and recommend the passage of the bill hereto attached.

WESTERFELD,
NEWTON,
MOORE,
PACE,

On the part of the Senate.

STINSON,
HAMILTON,
BROWN,
WOOD,
HANNA,

On the part of the House.

S. B. No. 13.

A BILL

To Be Entitled

An Act providing that in certain counties all persons convicted by a municipal court of such counties, either laying out their fines in a city jail or working out such fines shall receive a credit therefor of One Dollar (\$1.00) per day; and in certain counties all prisoners or convicts either laying out their fines in jail or working out said fines shall receive a credit of One Dollar per day; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In all of the counties in this State containing a population of not less than Three Hundred Twenty-five (325,000) Thousand nor more than Three Hundred Forty-five (345,000) Thousand, according to the last preceding and each succeeding Federal Census, all persons convicted by a Municipal Court of said counties, either laying their fines out in city jail or working out said fines, shall receive a credit therefor of One (\$1.00) Dollar per day for each day worked, or spent in jail.

Sec. 2. In all counties in this State, containing a population of not less than thirty thousand, four hundred (30,400) nor more than thirty thousand, six hundred (30,600); and containing a population of not less than 50,000 and not more than

50,100; and containing a population of not less than 41,000 nor more than 42,000; and containing a population of not less than 43,035 nor more than 43,050, according to the last preceding Federal Census, and in succeeding Federal Census, all prisoners or convicts either laying their fines out in city or county jails or working out said fines, shall receive a credit therefor of One (\$1.00) Dollar per day for each day working or spent in jail.

Sec. 3. The fact of the importance of this legislation creates an emergency and an imperative public necessity, that the Constitutional Rule requiring bills to be read on three several days in each House, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was adopted by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

Messages From the House

A Clerk from the House was recognized to present the following messages:

Hall of the House of Representatives, Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 71, A bill to be entitled "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes of

the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, as amended by Chapter 28, General and Special Laws passed at the First Called Session of the Forty-first Legislature, as amended by Chapter 15, General and Special Laws, passed at the Second Called Session of the Forty-second Legislature, relating to the appointment and compensation of County Auditors in counties containing a population of thirty-five thousand inhabitants, or over, according to the preceding Federal Census, or having a tax valuation of Fifteen Million Dollars, according to the last approved tax rolls; and providing for additional compensation for the County Auditors in such counties having more than 200,000 population and not more than 300,000 population according to the last Federal Census where there is a city and county hospital to care for city and county patients, and where a financial record for such hospital must be kept and reports made to the city and county; and providing for compensation for the County Auditors in such counties having more than 51,000 population and less than 52,000 population, according to the last Federal Census; the salary of such County Auditor shall be \$4,800.00 to be paid monthly out of the General Revenue of the County upon an order of the Commissioners' Court; and providing that if any portion of this Act be declared unconstitutional or invalid, the remainder shall not be affected thereby, and declaring an emergency."

H. B. No. 72, A bill to be entitled "An Act providing for the posting of legal notices at some place within the courthouse to be designated by the commissioners' court in counties having a population of from three hundred twenty-five thousand to three hundred thirty thousand according to the last Federal census; and making this Act cumulative of all laws on the subject of posting of notices wherever such posting is required by law; and providing for the designation of the place or places where such notices shall be posted.

H. B. No. 73, A bill to be entitled "An Act providing for the maximum

amount of fees that may be retained by the Assessor-Collector of taxes in all counties having a population of not less than 13,350 and not more than 13,440, according to the most recent available Federal Census and each available Federal Census thereafter; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 74, A bill to be entitled "An Act to provide a more adequate and equitable salary for county superintendents of public instruction in certain counties; providing for traveling expenses and office expenses for said officers; repealing all laws and parts of laws in conflict, and declaring an emergency."

H. B. No. 75, A bill to be entitled "An Act to repeal Section 8a of Chapter 95, Acts of the Regular Session of the Forty-fourth Legislature, for the purpose of abolishing the office of an assistant district attorney to represent the State in criminal prosecutions as provided for in said section; to provide that it shall be the duty of the district attorney of the Ninth Judicial District of Texas to represent the State in all cases in the Special Ninth District Court of Montgomery, Polk and San Jacinto Counties, wherein the State of Texas is a party, and for the county attorney to represent the State in said court in their respective counties in such cases in certain contingencies, and declaring an emergency."

H. B. No. 78, A bill to be entitled "An Act conferring authority on State Parks Board to acquire for use as a public park a tract of land situated on Padre Island; prescribing the terms and conditions under which such purchase can be made; authorizing the State Highway Commission to construct, maintain, and operate certain bridges and causeways adequate within its opinion for ingress and egress to such island; etc., and declaring an emergency."

H. B. No. 79, A bill to be entitled "An Act to amend H. B. No. 804, Regular Session, Forty-fifth Legislature by providing for the transportation of fish in one container under certain specified conditions."

H. B. No. 80, A bill to be entitled "An Act amending Chapter 206, of the Regular Session of the Forty-first

Legislature authorizing the Board of Directors of Texas Technological College to erect and equip and make contracts for the erection and equipping of dormitories, other buildings and improvements on the campus; to enter into contracts with municipalities or school districts for joint construction of museums, or such other buildings as may be necessary; to issue obligations under the limitations herein prescribed and to pledge the rents, revenues and incomes from the operation of such improvements to be erected hereunder, and/or then owned for the repayment of said obligations; and all other rents, revenues and incomes from every source, except appropriations made by the Legislature for a particular specific purpose; to establish and maintain such schedule of rates, fees and charges for the use of facilities afforded by its dormitories, other buildings, and improvements and revenues from athletic fields and stadiums, as necessary for payment of principal and interest of indebtedness; providing that in the erection of such buildings and improvements or in contracting therefor no indebtedness shall be incurred against the State of Texas; repealing all laws and parts of laws in conflict with the provisions of this Act and providing that if any sections, provisions or portions of this Act be held invalid that the same shall not affect the remaining sections, provisions or portions thereof, and declaring an emergency."

H. B. No. 82, A bill to be entitled "An Act amending Acts of 1935, Forty-four Legislature, Special Laws, page 1210, Chapter 45, prohibiting transportation of minnows of any and all species outside of the counties wherein such minnows are caught, seined, or taken, by adding thereto the Counties of Parker, Jack, and Young, and declaring an emergency."

H. B. No. 83, A bill to be entitled "An Act making it lawful for a person or persons to gig certain fish within the waters of Caddo Lake in Harrison and Marion Counties."

H. B. No. 84, A bill to be entitled "An Act permitting the taking of pelts of fur-bearing animals for the purpose of sale in Anderson County during the months of December and January; making it unlawful to take pelts or to employ a steel trap for taking any fur-bearing animal during

any other months than December and January; making certain exceptions; providing a penalty; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

H. C. R. No. 11, Providing for the appointment of a Joint Committee to investigate the needs of the various State Departments and institutions.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President
of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Conference Committee report on S. B. No. 2 by a vote of 110 yeas and 9 nays.

The House has adopted the Free Conference Committee report on S. B. No. 3 by a vote of 109 yeas and 12 nays.

The House has adopted the Conference Committee report on S. B. No. 13 by a vote of 110 yeas and 0 nays.

The House has adopted the Conference Committee report on S. B. No. 19 by a vote of 109 yeas, 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bills on First Reading

The following bills, received from the House today, were laid before the Senate, read first time and referred to the committees indicated:

H. B. No. 84, to Committee on Game and Fish.

H. B. No. 83, to Committee on Game and Fish.

H. B. No. 82, to Committee on Game and Fish.

H. B. No. 80, to Committee on Educational Affairs.

H. B. No. 79, to Committee on Game and Fish.

H. B. No. 78, to Committee on Public Lands and Land Office.

H. B. No. 75, to Committee on State Penitentiaries.

H. B. No. 73, to Committee on Counties and County Boundaries.

H. B. No. 72, to Committee on Civil Jurisprudence.

H. B. No. 74, to Committee on Educational Affairs.

H. B. No. 71, to Committee on State Affairs.

House Concurrent Resolution No. 11

H. C. R. No. 11, received from the House today, was laid before the Senate, read first time and referred to the Committee on Civil Jurisprudence.

House Bill No. 82 Re-referred

On motion of Senator Woodruff, H. B. No. 82 was re-referred from the Committee on Game and Fish to the Committee on Public Lands and Land Office.

Reports of Standing Committees

Reports on House Bills Nos. 72, 80, 83, 79, 78, 73, and 82 were submitted by the chairmen of the several committees to which they were referred. (See appendix for reports in full.)

Senate Resolution No. 15

Senator Westerfeld offered the following resolution:

Whereas, Worth S. Ray has had printed and delivered to officers and members of the Senate, two hundred (200) copies of Ray's Advance Session Laws, there being forty copies of each volume so delivered, in accordance with Senate Resolution No. 57, adopted by the Senate, March 25, 1937; and

Whereas, Although the phrasing of the said Resolution No. 57 may seem of doubtful construction, it was the intention of the Senate in adopting same to pay the publisher the sum of One (\$1.00) Dollar for each copy of each volume, and it was so understood by all parties; therefore, be it

Resolved, That Worth S. Ray's bill for Two Hundred (\$200.00) Dollars for said two hundred (200) copies, now delivered, be paid out of the Contingent Fund of the Senate, upon proper presentation, in accordance with the original intention.

The resolution was read and was adopted.

Election of President Pro Tempore Ad Interim

Senator Small nominated Hon. Claude Isbell of Rockwall County as President Pro Tempore of the Senate Ad Interim.

Senators Collie, Moore and Shivers seconded the nomination of Hon. Claude Isbell.

The President appointed Senators Small, Aikin and Collie as a committee to take up and count the ballots.

The committee announced that Hon. Claude Isbell had received 27 votes, and the President declared him unanimously elected President Pro Tempore Ad Interim.

The President appointed Senators Winfield, Rawlings and Small as a committee to escort Hon. Claude Isbell to the President's stand.

Hon. Claude Isbell then took the constitutional oath of office, which was administered to him by the President.

The President then presented President Pro Tempore Ad Interim Isbell, who thanked the Senators for the honor conferred upon him.

Senate Concurrent Resolution No. 10

Senator Stone offered the following resolution:

Be it Resolved by the Senate, the House of Representatives concurring, That constitutional rule prohibiting bills to be taken up and passed during the last twenty-four hours of the Session and all other rules be suspended so as to allow and permit H. B. Nos. 73, 79, 83 and 82 to be taken up, considered and finally passed during the last twenty-four hours of the Session.

The resolution was adopted by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

(Senator Rawlings in the Chair.)

House Bill No. 82 on Second Reading

Senator Woodruff moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 82 be placed on its second reading and passage to third reading.

The motion prevailed by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

The Presiding Officer laid the bill before the Senate.

On motion of Senator Woodruff and by unanimous consent, Senate Rules 31a and 48 were suspended severally, to permit consideration of the bill at this time.

The bill was read second time and was passed to third reading.

Senate Bill No. 82 on Third Reading

Senator Woodruff moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 82 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Davis	Roberts
Hill	Shivers
Isbell	Small
Moore	Spears
Neal	Stone
Nelson	Sulak
Newton	Van Zandt
Oneal	Westerfeld
Pace	Winfield
Rawlings	Woodruff
Redditt	

Absent—Excused

Head	Lemens
Holbrook	Weinert

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

(President in the Chair.)

Senate Resolution No. 16

Senator Woodruff offered the following resolution:

Be it Resolved by the Senate, That the following named employees be retained for the number of days, and at the per diem salary, specified in each case to perform such duties as may be required of them in connection with the business of the State, viz:

The Secretary of the Senate shall be retained from adjournment of this First Called Session sixty days, at the same per diem that he now receives, and shall be furnished postage, telegraph, telephone, and express and other expenses incident

to the office. He shall be allowed the services of one secretary who shall also serve as secretary to the committee authorized under Senate Resolution No. 12 and shall receive for such services \$5.00 per day. The secretary to the Lieutenant-Governor shall be retained for the interval from adjournment of the First Called Session of the Forty-fifth Legislature until the reconvening of the next ensuing session of the Legislature of Texas, who shall, in addition to serving in the office of Lieutenant-Governor, be also subject to assignment by the Lieutenant-Governor to the Senate Committee authorized under Senate Resolution No. 12 for such additional services as the Lieutenant-Governor may require, and shall receive for such services the sum of \$5.00 per day.

One Warrant Clerk shall be retained for two (2) days at \$5.00 per day, one page to the Lieutenant-Governor two (2) days at \$2.50 per day. The Journal Clerk shall be retained ninety (90) days at \$7.50 per day, the Assistant Journal Clerk to be designated by the Lieutenant-Governor, shall be retained ninety (90) days at \$5.00 per day, the Sergeant-at-Arms shall be retained fifteen (15) days at \$7.50 per day, with one assistant fifteen (15) days and two assistants for ten (10) days at \$5.00 per day each, one head porter six (6) days at \$4.00 per day, with five extra porters ten (10) days at \$2.50 per day each.

The Calendar Clerk shall be retained five (5) days at \$7.50 per day; the Engrossing and Enrolling Clerk two (2) days at \$7.50 per day; the private secretary of each Senator five (5) days at \$5.00 per day each, to perform such duties as shall be required of them; the Postmistress two (2) days at \$5.00 per day, after which the secretary of the Senate shall attend to all matters relative to postal receipts and transmissals of Senators; one P. B. X. operator three (3) days at \$5.00 per day; the Librarian of the Senate two (2) days at \$5.00 per day to supervise the collection of all books, documents, and materials belonging to the Library; the Mailing Clerk and two assistants for two (2) days at \$5.00 per day each, to perform such services as the Secretary of the Senate shall direct; the secretary of the Senate Committee on Contingent Ex-

pense thirty (30) days at \$5.00 per day, and the chairman of the Senate Committee on Contingent Expense is hereby authorized and directed to cause the Senate Chamber to be placed in order and an inventory made of all furniture and fixtures in the Senate Chamber and in the private offices of the members, as well as of the supplies and equipment on hand in the room of the Sergeant-at-Arms, and close his books for the Regular Session and the First Called Session of the Forty-fifth Legislature, and he shall be entitled to receive his actual and necessary expenses incurred while in the performance of such services. He shall also examine all records and accounts payable out of the Contingent Expense Fund as shall be necessary properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval.

The Lieutenant-Governor shall appoint a custodian of the Senate and an assistant custodian to perform such services as the Lieutenant-Governor or the Secretary of the Senate may direct and the custodian to receive therefor the sum of One Hundred Twenty-five Dollars (\$125.00) per month, and the assistant to receive Eighty (\$80.00) Dollars per month.

The Lieutenant-Governor is authorized to employ a head porter to serve as he shall direct in keeping the Senate Chamber in order during the interval between this session and the ensuing session of the Legislature, for which services said porter shall receive Ninety Dollars (\$90.00) per month. The special porter serving as mail clerk shall be retained three (3) days at \$3.50 per day, for such services as shall be directed by the Secretary of the Senate; be it further

Resolved, That the chairman of the Senate Committee on Finance be allowed one secretary for twenty (20) days at not to exceed \$5.00 per day to perform such services as said chairman shall direct; be it further

Resolved, That two hundred fifty (250) volumes of the Senate Journals of the Regular Session of the Forty-fifth Legislature when completed shall be bound in full law sheep and delivered to the Secretary of State and one volume thus bound

shall be forwarded by the Secretary of State to each member of the Senate and House of Representatives, to the Lieutenant-Governor and Secretary of the Senate, twenty-five (25) such copies shall be delivered to the Secretary of the Senate, and the remainder shall be retained by the Secretary of State. The printing of such Senate Journal shall be done in accordance with the provisions of this resolution under supervision of the chairman of the Committee on Contingent Expense; provided further, that it shall be the duty of said chairman to refuse to receive or to receipt for said Journals until corrected and published in accordance with the pre-existing law and as finally approved by the Secretary of the Senate. When the accounts have been certified to by the Board of Control, and approved by the chairman of the Senate Committee on Contingent Expense, said accounts shall be paid out of the Contingent Expense Fund of the Regular Session of the Forty-fifth Legislature and out of the First Called Session of the Forty-fifth Legislature. All provisions herein contained concerning the printing of the Senate Journal of the Regular Session of the Forty-fifth Legislature shall also apply to the printing and distribution of the Senate Journal for the First Called Session of the said Forty-fifth Legislature; be it

Resolved further, That all salaries herein authorized to be incurred and paid for shall be paid out of the Per Diem and Contingent Expense Fund of the Forty-fifth Legislature and the First Called Session, either or both. All salaries and compensations herein provided shall be paid out of the Per Diem and Contingent Expense Fund upon warrants signed by the Lieutenant-Governor and the Secretary of the Senate. All warrants for the payment of materials, supplies and expenses of the Senate and committees authorized by the Senate shall be paid upon warrants signed by the President of the Senate and the chairman of the Senate Committee on Contingent Expense.

Question—Shall the resolution be adopted?

Senator Cotten offered the following amendment to the resolution:

The Secretary of the Senate shall

be retained during the interval between adjournment of this session and convening of the next session of the Legislature for which services he shall receive the same per diem he now receives, and in addition thereto, he shall be furnished postage, telegraph, telephone, express and all other expenses incident to the office. He shall be allowed the services of one secretary who shall receive the same per diem she now receives.

(Signed) Cotten, Rawlings, Beck, Van Zandt, Oneal, Hill, Collie, Stone, Neal, Spears, Isbell, Small, Davis, Winfield, Pace, Moore, Brownlee, Lemens, Newton, Westerfeld, Burns, Sulak, Aikin, Roberts.

The amendment was adopted.

The resolution as amended was adopted.

Motion to Take Up House Bill No. 78

Senator Neal moved that the constitutional rule requiring bills to be read on three several days be suspended, and that H. B. No. 78 be placed on its second reading and passage to third reading.

The President held the motion not in order, unless and until the joint rule prohibiting passage of bills during the last twenty-four hours of a session of the Legislature has been suspended in both Houses of the Legislature by a two-thirds vote in each House.

Message From the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to H. B. No. 40 and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Messrs. Jones of Falls, Hoskins, Harper, Celaya, Alexander.

The House has adopted S. C. R. No. 10 to allow further consideration of certain bills.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 73 on Second Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 73 be placed on its second reading and passage to third reading.

The motion prevailed by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

The President then laid the bill before the Senate.

On motion of Senator Stone and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration of the bill at this time.

The bill was read second time.

Senator Hill offered the following amendment to the bill:

Amend the bill by inserting at the proper place the following:

"and in all counties of not less than forty-three thousand five hundred (43,500), nor over forty-four thousand (44,000) inhabitants, according to the said 1920 Federal Census, the salary shall not be less than Two Thousand Four Hundred (\$2,400.00) Dollars annually."

And amend the caption accordingly.

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend H. B. No. 73 by inserting at the proper place the following:

"and in counties having a population of not less than 29,400 to 29,500 the county auditor shall receive not to exceed \$1800 per year."

And amend caption accordingly.

The amendment was adopted.

The bill then was passed to third reading.

House Bill No. 73 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 73 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

Request Refused

Senator Spears moved that the request of the House for a conference committee on H. B. No. 40 be not granted.

The motion prevailed.

House Bill No. 79 on Second Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 79 be placed on its second reading and passage to third reading.

The motion prevailed by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

On motion of Senator Hill and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration of the bill at this time.

The bill was read second time and passed to third reading.

House Bill No. 79 on Third Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 79 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

House Bill No. 83 on Second Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 83 be placed on its second reading and passage to third reading.

The motion prevailed by the following vote:

Yeas—27

Aikin	Collie
Beck	Cotten
Brownlee	Davis
Burns	Hill

Isbell	Shivers
Moore	Small
Neal	Spears
Nelson	Stone
Newton	Sulak
Oneal	Van Zandt
Pace	Westerfeld
Rawlings	Winfield
Redditt	Woodruff
Roberts	

Absent—Excused

Head	Lemens
Holbrook	Weinert

The President then laid the bill before the Senate.

On motion of Senator Hill and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration of the bill at this time.

The bill was read second time and was passed to third reading.

House Bill No. 83 on Third Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 83 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused

Head	Lemens
Holbrook	Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Hill	Stone
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Absent—Excused.

Head	Lemens
Holbrook	Weinert

Report of Conference Committee on
House Bill No. 12

Senator Van Zandt submitted the following report of the Conference Committee on H. B. No. 12:

Committee Room.

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate;

Hon. Robert W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on H. B. No. 12, beg leave to report that we have adjusted the differences and recommend passage of the bill attached hereto.

VAN ZANDT,
SULAK,
NEAL,
WOODRUFF,

On the part of the Senate.

McKEE,
KELT,
SHELL,
MONKHOUSE,
ALEXANDER,

On the part of the House.

By McKee, Johnson H. B. No. 12.
of Ellis.

A BILL

To Be Entitled

An Act providing and giving to the Commissioner of Agriculture certain authority relating to state-owned Jacks and Stallions and the lease thereof; providing for a maximum breeding fee; providing a lease fee of thirty (\$30) dollars

and the disposition thereof; providing for the care and maintenance of such Jacks and Stallions; providing for title to such Jacks and Stallions to be in the State of Texas; providing for a contract between the Commissioner of Agriculture and the caretakers and keepers; providing a bond for the protection of such animals; providing for the appointment of supervisors of Jacks and Stallions by the Commissioner of Agriculture and the payment of said supervisors' salaries and all expenses incident to the supervision of jacks and stallions with certain limitations; providing for the refunding of certain breeding fees incident of the breeding fees of 1936-1937 with limitations; providing for disposal of unfit animals by the Board of Control and for the transfer of present funds by the Comptroller and Treasurer; providing the carrying over of unexpended balances to the next biennium and the expenditures thereof, subject to the biennial appropriations therefor; providing for the support and maintenance of the Department of Agriculture out of certain funds, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. From and after the date of September 1, 1937 the Commissioner of Agriculture of the State of Texas is hereby directed and authorized to distribute throughout the State of Texas, on a lease basis as hereinafter provided, the jacks and stallions purchased by the State of Texas under the terms and provisions of Acts of the Regular Session, 43rd Legislature, Chapter 163, page 433, as amended by Acts of the 43rd Legislature, First Called Session, Chapter 10, page 32. And said Commissioner of Agriculture is further directed and authorized to name some suitable person, experienced in the handling of jacks and stallions, as caretaker of such jack or stallion. The Commissioner of Agriculture shall adopt and carry out reasonable rules and regulations with respect to the leasing and distribution, care, use and maintenance of such animals. Provided further that the title of all such jacks and stallions hereinbefore mentioned shall be and re-

main in the State of Texas. Provided further that in the event the Commissioner of Agriculture is unable to place any of such animals as herein provided due in any manner to defects or unfitness for breeding purposes, then the Commissioner of Agriculture is hereby authorized and directed to turn such animals over to the State Board of Control, who shall dispose of same to the best interest of the State.

Before any of the jacks or stallions are leased and distributed as herein provided, the Commissioner of Agriculture shall allocate and tender to the Texas Prison System two jacks and one stallion and after said jacks and stallion have been accepted by the Texas Prison Board, the Commissioner of Agriculture shall thereafter exercise no control or management over such animals. Such animals shall thereafter remain and be the property of the Texas Prison System for its uses and purposes, and said jacks and stallions are to be selected by the Commissioner of Agriculture and General Manager of the Texas Prison System from those jacks and stallions now owned by the State of Texas under the provisions of Chapter 10, Acts of the First Called Session, 43rd Legislature. And all expenses incurred by the Commissioner of Agriculture in delivering said jacks and stallion to the Texas Prison System shall be borne by said system.

Sec. 2. From and after the effective date of this Act the Commissioner of Agriculture shall distribute the jacks and stallions aforesaid throughout the State of Texas where there is most need shown to competent and capable caretakers who shall agree and pay to the State of Texas the sum of \$30.00 in advance as an annual rental for the use of such jack or stallion, as the case may be, and who shall first enter into a written contract with the Commissioner of Agriculture all such conditions and terms as may be determined by the Commissioner. In addition thereto each keeper shall be required to enter into a bond with two or more good and sufficient sureties, payable to the State of Texas, upon the approval of the Commissioner of Agriculture, conditioned that such caretaker shall in good faith, feed, water, care for and prop-

erly handle such animals. Such bond to be in the sum of not less than the market value of said animal or animals as determined by the Commissioner of Agriculture.

The Commissioner of Agriculture is hereby directed to contract with such keepers or caretakers to terminate on July 1 of each year such contracts to be terminable before that time when in the opinion of the Commissioner of Agriculture, or his agents, such animals are not being properly cared for as provided in the terms of such contracts and no lease shall extend for a period to exceed one year.

The contract hereinabove provided for shall in addition to the provisions herein set forth include one which will permit the use of such jack and stallion by said caretaker for the purposes to which he may be assigned in said contract and in no event shall the keeper or caretaker make a service charge or more than \$10.00 ten dollars for each foal and such caretaker or keeper shall personally be liable for all refunds in guaranteeing a foal and in no event shall the State of Texas be liable directly or indirectly therefore. And it is expressly provided that the \$30.00 paid as herein provided shall be all the demand or claim that the State of Texas shall have against such keeper or caretaker for rendering the services herein provided and the sum or sums herein provided as a charge for breeding fees shall be the only compensation said keeper or caretaker may claim of or from the State of Texas, therefor.

Sec. 3. The money derived from the leasing of the animals hereinabove mentioned shall be deposited by the Commissioner of Agriculture in the State Treasury where it shall be set up as a "Special Jack and Stallion Fund" to be used by the Commissioner to pay the salaries of two competent supervisors at not to exceed Eighteen Hundred (\$1800.00) dollars per year each for salaries and who shall receive the actual and necessary traveling expenses while away from Austin in the performance of their duties, which expenses shall not exceed amounts allowed other state employees under the terms and provisions of Senate Bill 138, Acts of the Forty-fifth Legislature Regu-

lar Session, 1937, and in no event shall the salaries and expenses herein authorized exceed the amount collected annually from the lease or hire of animals as herein provided.

Sec. 4. All moneys now on hand and accruing to the Jack and Stallion Account under H. B. 779, Acts of the 44th Legislature, Regular Session, and amended by H. B. 8, Chapter 495, 44th Legislature, 3rd Called Session, are hereby transferred to the Special Jack and Stallion Fund to be used by the Commissioner of Agriculture for making refunds on breedings heretofore reported in conformity with refunding provisions of H. B. 779, Acts of the Regular Session of the 44th Legislature, and for the payment of all other expenses incurred in the administration of this Act, subject to the biennial appropriation for the year ending August 31, 1939. The State Comptroller and the State Treasurer are hereby authorized and directed to make such transfers.

After transferring from said Special Racing Fund the said twenty-five (25%) per cent going to the State Available School Fund and after transferring from said Special Racing Fund all moneys on hand and accruing to the Special Jack and Stallion Fund, the balance then remaining in said Special Racing Fund until it becomes exhausted, shall be used for the payment of the appropriations by the Legislature for the support and maintenance of the State Department of Agriculture as said appropriations for the Department shall be fixed and allowed by the Legislature of the State of Texas from time to time. It is the intent of the Legislature hereby that the above distribution shall immediately be made and the money so transferred shall become available now and for any and all appropriations made by the Regular Session of the 45th Legislature for the support and maintenance of the State Department of Agriculture and that the General Revenue Fund shall not be drawn on until all moneys in the Special Racing Fund shall become exhausted, and all unexpended balances remaining on hand, at the end of the current biennium ending August 31, 1937, shall be carried over in the succeeding biennium to the use and benefit of the said State

Department of Agriculture, as provided by law; providing however, that no refunds of breeding fees shall extend beyond January 1, 1938.

Sec. 5. The fact that a Special Session of the Forty-fifth Legislature is now in session to consider the provisions set forth hereinabove, creates an emergency and an imperative public necessity that the Constitutional Rule providing a Bill to be read on three (3) several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall have effect and be in force from and after its passage, and it is so enacted.

The report was adopted.

Senate Concurrent Resolution No. 11

Senator Woodruff offered the following resolution:

Be it Resolved by the Senate, the House concurring, That the First Called Session of the Forty-fifth Legislature stand adjourned sine die at 2:00 o'clock p. m., June 25, 1937.

The resolution was read.

Senator Woodruff moved that the Senate rule requiring concurrent resolutions to be referred to a committee be suspended and that the resolution be considered at this time.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—10

Aikin	Newton
Burns	Oneal
Hill	Stone
Neal	Van Zandt
Nelson	Woodruff

Nays—10

Beck	Moore
Collie	Rawlings
Cotten	Small
Davis	Sulak
Isbell	Winfield

Present—Not Voting

Spears	Westerfeld
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Absent

Brownlee	Roberts
Redditt	Shivers

Absent—Excused

Head	Pace
Holbrook	Weinert
Lemens	

The resolution was referred by the President to the Committee on Civil Jurisprudence.

Message From the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that

The House has concurred in Senate amendments to H. B. No. 45 by a vote of 107 yeas, 2 nays.

The House has concurred in Senate amendments to H. B. No. 73 by a vote of 115 yeas, 1 nay.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

At Ease

On motion of Senator Moore, the Senate agreed to stand at ease subject to the call of the President.

The President called the Senate to order.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

S. B. No. 10, "An Act correcting a typographical error in S. B. No. 139, Acts of the Forty-fifth Legislature of Texas, Regular Session, 1937, appropriating Thirty-five Thousand Dollars (\$35,000.00) to be available September 1, 1937, to purchase dormitory and equipment for Sul Ross State Teachers College, Alpine, Texas, and declaring an emergency."

S. B. No. 11, "An Act validating, confirming, approving and legalizing all bonds heretofore authorized by the necessary vote of the qualified voters of all cities of more than one hundred and sixty thousand (160,000) population, according to the last preceding Federal Census

and all bond elections held in such cities for the purpose of voting such bonds wherein the necessary majority of the voters voted in favor thereof are hereby validated insofar as any irregularities in following the requirements of the provisions of the general law that such elections shall be held not more than thirty (30) days from the date of the election order, and that notice of such election shall be published on the same day of each of two successive weeks in a newspaper, the date of the first publication to be not less than fourteen (14) days prior to the date set for the election, are concerned; provided that the irregularities in following the requirements of city charters as to time in the calling of such elections shall not in any manner affect the validity of said bonds, but same shall, if otherwise valid, when approved by the Attorney General and registered by the Comptroller of Public Accounts and sold for not less than par and accrued interest, be valid subsisting indebtedness of said cities, and declaring an emergency."

S. B. No. 12, "An Act applying to independent school districts in counties having a population of not less than thirty-two thousand three hundred and fifty (32,350) and not more than thirty-two thousand eight hundred (32,800), according to the last preceding Federal Census; authorizing said school districts to borrow money in a sum not to exceed One Hundred and Fifty Thousand (\$150,000.00) Dollars to supplement funds at hand for the construction and equipping of public free school buildings, and to issue time warrants therefor without an election; prescribing the terms and conditions for issuance of said time warrants; providing for the levying of a tax to pay same; prescribing the terms and conditions and the rate of interest of said time warrants; and declaring an emergency."

S. B. No. 15, "An Act to amend Chapter 143, Local and Special Laws of the Thirty-ninth Legislature, at its First Called Session, 1926, the same being a special law validating the creation of Road District No. 2 of Chambers County, Texas, by adding to said chapter new sections numbered 5a and 5b, validating road bond election held on June 12, 1937, and further prescribing the duty of the commissioners' court in reference

to the issuance of such bonds; and declaring an emergency."

S. B. No. 16, "An Act authorizing counties of a certain class according to population to lease any county hospital of said county to be operated as a county hospital by the lessee; prescribing regulations relating to said subject; and declaring an emergency."

S. B. No. 17, "An Act validating, ratifying, confirming and legalizing all bonds heretofore authorized by the necessary vote of the qualified voters of all cities and towns having less than two thousand six hundred thirty-two population and more than twenty-six hundred one population, according to the last preceding Federal Census, and all bond elections held in such cities and towns for the purpose of voting such bonds insofar as any irregularities in following the requirements of the General Law governing the form of election order, notice, ballot and canvassing of returns of such elections are concerned; and providing that if otherwise valid, when approved by the Attorney General and registered by the Comptroller of Public Accounts and sold for not less than par and accrued interest, shall constitute legal and binding obligations of such cities and towns; providing that this Act shall not apply to any proceedings or bonds the validity of which is being contested in any suit pending at the effective date of this Act, and declaring an emergency."

S. B. No. 18, "An Act authorizing the governing body of the incorporated City of Gladewater, Gregg County, Texas, to close that portion of Quitman Avenue lying between Block 4 and Block 20, and between Block 3 and Block 21 of the original townsite of said city in order that said street may be transferred to and used by the Gladewater County Line Independent School District for school purposes; provided that as a result of said transfer that no rights either in the land or minerals thereunder shall inure to the benefit of anyone except said school district, and that said school district shall have no right to sell, lease, or otherwise alienate said land or minerals thereunder, and declaring an emergency."

S. B. No. 21, "An Act to amend Article 1315(a) of the Civil Statutes of Texas so that the provisions of

said Act shall extend to all private corporations incorporated under the General Laws of Texas; and so that the period of ten years prior to the expiration of the charter or any extension thereof referred to in Article 1315(a) shall include the period of time during which such corporation may have continued its existence under the provisions of Article 1389 of the Revised Civil Statutes of Texas of 1925."

S. B. No. 13, "An Act providing that in certain counties, convicts, either laying their fines out in jail or working such fines out on the county farm or on the county roads or other public works, shall receive a credit therefor of One (\$1.00) Dollar per day for each day worked or spent in jail; and declaring an emergency."

S. B. No. 22, "An Act providing for the validation of the organization of and establishment of water improvement districts situated within a water power control district organized under Section 29 of Chapter 76, Acts of the Forty-third Legislature, and of Chapter 19, page 54, Acts of 1933, First Called Session of the Forty-third Legislature; providing for the validation of bonds, authorized to be issued by such districts which have been authorized by two-thirds majority of those voting at such elections; providing for the validation of such bonds by suit as now provided by law if the districts so elect or by forwarding to the Attorney General a certified copy of the proceedings providing for the issuance of such bonds, the examination thereof by the Attorney General and the issuance of his official certificate that such bonds are valid and binding obligations of said districts if he shall so find, and that such official certificate shall authorize the registration of said bonds by the Comptroller of Public Accounts in the same manner as if same had been validated by suit; provided, however, that nothing contained in this Act shall affect any pending litigation; and declaring an emergency."

S. B. No. 24, "An Act to amend H. B. No. 557, Acts of the Regular Session, Forty-fifth Legislature, by striking out all of Sections 9, 9a, 9b, and 9c, and substituting in lieu thereof a new section to be Section

9; fixing the administration of H. B. No. 557, Acts of Regular Session, Forty-fifth Legislature, and H. B. No. 99, Acts of Regular Session, Forty-fifth Legislature; amending H. B. No. 99, Acts of Regular Session, Forty-fifth Legislature, by repealing Section 26 of said bill; providing for the giving of a surety bond of Five Thousand (\$5000) Dollars, contingent upon faithful performance of all provisions of H. B. No. 99, Acts Regular Session, Forty-fifth Legislature, and H. B. No. 557, Acts Regular Session, Forty-fifth Legislature, and the licensing of any person under both Acts on the payment of only one license fee; and declaring an emergency."

S. B. No. 26, "An Act providing that Galveston Street between First and Second Streets in the unincorporated town site of Balmorhea, Reeves County, Texas, be closed so that a school building may be erected across said street, and declaring an emergency."

S. B. No. 27, "An Act making an appropriation of the sum of One Hundred Thousand Dollars (\$100,000), or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of members and the per diem of officers and employees of the First Called Session of the Forty-fifth Legislature, and to pay any unpaid accounts of the Regular Session of the Forty-fifth Legislature, and declaring an emergency."

S. B. No. 28, "An Act validating, ratifying, confirming and legalizing all time warrants heretofore authorized by the governing bodies of independent school districts in the State of Texas having a scholastic enumeration of not less than 769 and not more than 775 according to the last preceding scholastic enumeration, validating all proceedings heretofore had in connection with the issuance of such time warrants, including the levy of and provision for a tax for the payment of principal and interest on said time warrants as the same mature and authorizing such governing bodies of said independent school districts to do any and all things necessary and requisite in the issuance, sale and delivery of said time warrants; etc., and declaring an emergency."

S. B. No. 25, "An Act providing that no county having a population of not less than 28,700 nor more than 29,000 shall have a county auditor; providing that any county having a population of not less than 27,545 nor more than 27,555 shall have a county auditor, and providing for compensation thereof, and declaring an emergency."

S. B. No. 29, "An Act amending Chapter 141, Acts Fortieth Legislature, Regular Session, and H. B. No. 321, Acts Regular Session, Forty-fifth Legislature, creating the office of the Veterans' State Service Office attached to the Adjutant General's Department; providing for the appointment of a Veterans' State Service Officer and certain Assistant Veterans' State Service Officers, and other necessary personnel; defining the qualifications, authority, and duties of such officers; fixing and authorizing payment of their salaries, travel, and other expenses; providing that the main office shall be located in Austin, Travis County, Texas; repealing all laws, etc., and declaring an emergency."

S. C. R. No. 8, Authorizing the State Planning Board to investigate the feasibility and advisability of Texas having appropriate exhibits at the New York and San Francisco World's fairs.

S. C. R. No. 5, Relating to use of the Hall of State in the City of Dallas.

H. B. No. 52, "An Act authorizing the commissioners' court in each county in this State having a population of not less than 42,125, nor more than 42,150, according to the last preceding Federal Census, to allow each county commissioner certain expenses for traveling and in connection with the use of his automobile on official business in overseeing the construction work on public roads of the county; etc., and declaring an emergency."

H. B. No. 25, "An Act fixing the compensation of county auditors in every county having a population of not less than one hundred and ninety thousand (190,000) nor more than two hundred thousand (200,000) inhabitants according to the last preceding United States Census and prescribing how the same shall be paid; providing that in such counties where there is a city and county hospital

that the county auditor shall audit the books and records of such hospital and shall make reports to the county and city governments covering the operation of such hospital and fixing the compensation therefor and prescribing how the same shall be paid; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 30, "An Act declaring it unlawful to take, hunt, trap, shoot or kill any prairie chicken in Colorado and Austin Counties, Texas, for a period of five years; prescribing penalty for violation of the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 33, "An Act amending Subsection (L) of Section 19, Chapter 465, Acts of the Forty-fourth Legislature, Second Called Session, by providing that premiums on deputies official bonds shall be a legal and legitimate expense of office in counties containing an excess of 190,000 population, and declaring an emergency."

H. B. No. 36, "An Act amending Article 2094 of the Revised Civil Statutes of Texas, of 1925, as amended by Acts of the Forty-first Legislature, page 89, Chapter 43, Section 1, and providing that after the effective date of this Act the provisions of said Article 2094, as amended, shall not apply to counties containing, according to the last preceding Federal Census, a population of not less than twenty-five thousand and not more than thirty-seven thousand and five hundred and containing a city with a population, according to the last preceding Federal Census, of more than twenty-five thousand, and declaring an emergency."

H. B. No. 38, "An Act to amend Article 4285, Revised Civil Statutes, 1925, providing the procedure authorizing the issuance of letters of guardianship in estates of non-resident minors, and declaring an emergency."

H. B. No. 51, "An Act to prohibit the use of a seine for taking fish in the waters and tributaries of the Bosque River in Hamilton County, Texas; providing, however, for the use of a net during the months of July, August, September, and October for the purpose of taking fish;

permitting the use of a minnow seine not more than twenty (20) feet in length for the purpose of taking minnows for bait; providing a penalty; repealing Chapter 47, Acts of the Forty-fourth Legislature, Regular Session; repealing H. B. No. 965, Acts of the Forty-fifth Legislature, Regular Session; and all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 47, "An Act to amend Article 2371 of the Revised Civil Statutes of Texas of 1925, and as amended by House Bill No. 675, Acts of the Forty-fifth Legislature, Regular Session, by providing that in all counties of this State, having a population of two hundred and fifty thousand (250,000), or more, according to the last United States Census, the Commissioners' Court in such county may expend, in furnishing a rest room for women in the courthouse, or in courthouse buildings or on courthouse grounds, a sum not to exceed Three Hundred (\$300.00) Dollars; and may expend for its maintenance, including the compensation paid by the county to the matron, an amount not to exceed One Hundred (\$100.00) Dollars per month, and declaring an emergency."

H. B. No. 48, "An Act creating a special road law for Montague County; authorizing the Commissioners' Court to issue funding bonds or warrants in lieu of certain scrip warrants issued in the year 1937, and validating such scrip; providing the method of issuing the same; making it the duty of the Commissioners' Court to levy a tax sufficient to pay principal and interest as they mature and accrue; making the general laws pertaining to roads and bridges applicable in Montague County and providing that the provisions of this Act shall be effective in case of conflict with any general or special law; providing that if any portion of this Act shall be held invalid, such holding shall not affect the other portions hereof, and declaring an emergency."

H. B. No. 50, "An Act authorizing independent school districts in which there is situated a city with a population of not less than seven thousand one hundred (7,100) and not more than seven thousand two hundred (7,200) according to the last preceding Federal Census to expend

not more than fifty (50%) per cent of the taxes assessed and collected for a period not to exceed four (4) years for the purpose of paying warrants issued in the payment of premium upon bonds refinanced and/or refunded by such independent school district at a less rate of interest and thereby create a saving, and in the payment of the actual and necessary cost of refinancing and of refunding said bond, and declaring an emergency."

H. B. No. 55, "An Act appointing Directors of San Antonio River Canal and Conservancy District, providing for the appointment of their successors, designating their terms of office, providing for the filling of vacancies, prescribing the oath of office, providing who is eligible for appointment, and declaring an emergency."

H. B. No. 57, "An Act amending Article 3899 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature, and as amended by Chapter 311, Acts of the Regular Session of the Forty-fourth Legislature, and as amended by Chapter 465, Acts of the Second Called Session of the Forty-fourth Legislature; providing that criminal district attorneys who perform the duties of District Attorneys in certain counties may incur certain expenses in investigating crime and accumulating evidence in criminal cases, and for the payment for mileage traveled by said criminal district attorneys in automobile furnished by them in the discharge of their official duties; providing that this Act shall be cumulative of all laws not in conflict herewith, and declaring an emergency."

H. B. No. 62, "An Act amending Section 1 of House Bill No. 186, same being Chapter 10 of the Special Laws of the Forty-third Legislature, Regular Session by extending the closed season on deer in San Augustine and Sabine Counties until February 21, 1939, and declaring an emergency."

H. B. No. 63, "An Act to amend Article 2687 of the 1925 Revised Civil Statutes of Texas by adding thereto a new Section to be known as Article 2687-a, prescribing the time of meeting of the County Board of School Trustees in counties con-

taining a population of not less than one hundred thirty thousand and not more than one hundred thirty-three thousand, according to the last preceding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply where in conflict therewith, and declaring an emergency."

H. B. No. 65, "An Act amending Section 11 of Senate Bill No. 185, Acts of the Forty-fifth Legislature, Regular Session, and declaring an emergency."

H. B. No. 66, "An Act amending Section 2, of Senate Bill No. 185, Acts of the Forty-fifth Legislature, Regular Session, and declaring an emergency."

H. B. No. 68, "An Act ratifying, confirming and validating all Acts of County Boards of Trustees in laying out or attempting to establish, combine, abolish or change any independent or common school districts, and all elections held in any county in this State for the purpose of laying out, establishing, combining, abolishing or changing any such independent or common school districts; providing that contest may be filed within thirty (30) days after the effective date of this Act; providing this Act shall not affect districts which may be in litigation at this time, and declaring an emergency."

H. C. R. No. 14, Granting Judge Terry Dickens permission to be absent from the State.

S. B. No. 20, "An Act providing for certain restrictions on the sale of wine and beer on premises where consumed, further providing for certain and definite penalties for violations in the traffic of alcoholic beverages and in making and keeping records of permits and licenses; further providing for certain and definite issues to be submitted in local option elections; further providing for definite and certain privileges to be exercised by permittees and licensees as well as procedure in filing of applications therefor; further clarifying the duties and the powers of the Board in the cancellation and suspension of licenses and permits; clarifying the procedure in appealing from decisions of the

Board; amending Sections 15-(16), 15(c)(2), 17-(4), 17-(6), 21(c), 40, 23(a)-(2), all of Article I and Sections 3(h), 3-b, 7(d), 7(e), 9, 19(h), 19(a), 19(g), 20, 22, 25(a), and 26, all of Article II, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature as amended by Sections 16-15(16), 19-15(c)(2), 22-17(4), 22-17(6), 29-21(c), 30(a)-40, 31-23(a)(2), 50-3(h), 50-3-b, 50-7(d), 50-7(e), 50-9, 50-19(h), 50-19(a), 50-19(g), 50-20, 50-22, 50-25(a), and 50-26 respectively of H. B. No. 5, Acts of the Regular Session of the Forty-fifth Legislature; fixing the effective date of this Act, and declaring an emergency."

S. B. No. 2, "An Act defining and prohibiting the offenses of 'book making' and of 'pursuing the business of book making'; making it unlawful to permit the use of certain property in connection with book making; prohibiting and regulating the use of certain methods of communication in connection with or in aid of book making; declaring certain property used in connection with book making to be a public nuisance and providing procedure for the abatement of that nuisance; authorizing conviction for any offense under this Act upon the uncorroborated testimony of an accomplice; and exempting from prosecution accomplices who testify; providing the quantum of proof and allegation upon trial of cases arising under this Act; prescribing penalties for a violation of the several provisions hereof; making the provisions of this Act cumulative of existing laws; providing a saving or severance clause; and declaring an emergency."

S. B. No. 3, "An Act to amend Articles 624 and 625 of the Penal Code of the State of Texas of 1925, so as to include within the terms and meaning of said articles any races, speed, skill, or endurance, of, by, or between dogs, and declaring an emergency."

H. B. No. 39, "An Act granting the Commissioners' Court of Bell County permission to pay out of the General Fund of said county bounties for the destruction of rattlesnakes and predatory animals, and declaring an emergency."

H. B. No. 44, "An Act providing for the amount that may be allowed

by county boards of trustees to the county superintendents of public instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict therewith, and declaring an emergency."

H. B. No. 60, "An Act repealing Section (1) of Article 8017 of the 1925 Revised Civil Statutes of Texas, and declaring an emergency."

H. B. No. 82, "An Act amending Acts of 1935, Forty-fourth Legislature, Special Laws, page 1210, Chapter 45, prohibiting transportation of minnows of any and all species outside of the counties wherein such minnows are caught, seined, or taken, by adding thereto the Counties of Parker, Jack, and Young, and declaring an emergency."

S. B. No. 19, "An Act to fix the maximum of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the last Federal Census had a population of not fewer than 400 and not more than 450, and being a consolidated independent school district containing not less than ten original school districts, whether organized under General or Special Law, repealing all laws in conflict herewith, both General and Special, and declaring an emergency."

S. C. R. No. 2, Authorizing the State Treasurer to accept and apportion certain moneys from the Federal Government.

S. C. R. No. 10, Suspending the twenty-four-hours rule to permit the passage of H. B. Nos. 73, 79, 83, 82.

H. B. No. 12, "An Act authorizing the Commissioner of Agriculture to dispose of all jacks and stallions now owned by the State of Texas which were purchased out of the Special Jack and Stallion Fund and the Special Racing Fund as created under Chapter 10, Acts of the First Called Session, Forty-third Legislature, and further amended by Chapter 344, Acts of the Forty-fourth Legislature, Regular Session; etc., and declaring an emergency."

H. B. No. 45, "An Act amending Article 793, Chapter 4, Code of Criminal Procedure, 1925, authoriz-

ing the commissioners' court of each county in Texas to fix the rate of wages to be paid county convicts committed to workhouse, county farm or public improvements at an amount per day not less than \$1.00 nor more than \$3.00, and declaring an emergency."

H. B. No. 73, "An Act providing for the maximum amount of fees that may be retained by the assessor-collector of taxes in all counties having a population of not less than 13,350 and not more than 13,440, according to the most recent available Federal Census and each available Federal Census thereafter; releasing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 79, "An Act to amend House Bill No. 804, Regular Session, Forty-fifth Legislature by providing for the transportation of fish in one container under certain specified conditions."

H. B. No. 83, "An Act making it lawful for a person or persons to gig certain fish within the waters of Caddo Lake in Harrison and Marion Counties."

Senate Resolution No. 17

Senator Roberts offered the following resolution:

Whereas, The labors of the Senate in First Called Session of the Forty-fifth Legislature are now completed, therefore be it

Resolved, That the President appoint a committee of five to inform the House and a committee of five to inform the Governor that the Senate is ready to adjourn sine die.

ROBERTS,
AIKIN.

The resolution was read and was adopted.

Accordingly, the President appointed the following committees:

To notify the House: Senators Roberts, Aikin, Burns, Beck and Spears.

To notify the Governor: Senators Woodruff, Nelson, Isbell, Neal and Oneal.

House Notified

The committee to notify the House that the Senate is now ready to adjourn sine die appeared at the

bar of the Senate, and Senator Roberts, for the committee, announced the duty assigned it had been duly performed.

Governor Notified

The committee to notify the Governor that the Senate has completed its labors and is now ready to adjourn sine die appeared at the bar of the Senate and Senator Woodruff, for the committee, announced the duty assigned it had been duly performed.

Senate Notified

A committee of five members of the House appeared at the bar of the Senate and were duly announced; and Mr. Alsup, for the committee, notified the Senate that the House has completed its labors and is ready to adjourn sine die.

Adjournment Sine Die

Senator Isbell moved that the Senate adjourn sine die, pursuant to House Concurrent Resolution No. 30, heretofore adopted by the House and the Senate.

The motion prevailed.

Accordingly, the President, at 12 o'clock noon, declared the First Called Session of the Forty-fifth Legislature adjourned sine die.

APPENDIX

Reports of Standing Committees

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 72, A bill to be entitled "An Act providing for the posting of legal notices at some place within the courthouse to be designated by the commissioners' court in counties having a population of from three hundred and twenty-five thousand (325,000) to three hundred and thirty thousand (330,000) according to the last Federal census; and making this Act cumulative of all laws on the subject of posting of notices wherever such posting is required by law; and providing for the designa-

tion of the place or places where such notices shall be posted.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 80, A bill to be entitled "An Act amending Chapter 206, of the Regular Session of the Forty-first Legislature authorizing the Board of Directors of Texas Technological College, and the Board of Regents of the State Teachers Colleges of Texas, and the Board of Directors of the Texas A. & I. College at Kingsville, Texas, to erect and equip and make contracts for the erection and equipping of dormitories, other buildings, and improvements on the campus, . . . and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 83, A bill to be entitled "An Act making it unlawful for a person or persons to gig certain fish within the waters of Caddo Lake in Harrison and Marion Counties; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Acting Chairman.

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 79, A bill to be entitled

"An Act to amend House Bill No. 804, Regular Session, Forty-fifth Legislature, by providing for the transportation of fish in one container under certain specified conditions; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Acting Chairman.

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 78, A bill to be entitled "An Act conferring authority on State Parks Board to acquire for use as a public park a tract of land situated on Padre Island; prescribing the terms and conditions under which such purchase can be made; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODRUFF, Chairman.

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 73, A bill to be entitled "An Act providing for the maximum amount of fees that may be retained by the Assessor-Collector of Taxes in all counties having a population of not less than thirteen thousand, three hundred and fifty (13,350) and not more than thirteen thousand, four hundred and forty (13,440), according to the most recent available Federal Census and each available Federal Census thereafter; providing for disposition of excess fees and for deputies and assistants in accordance with the provisions of the Maximum Fee Bill; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report

it back to the Senate with the recommendation that it do pass and be not printed.

SPEARS, Chairman.

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 82, A bill to be entitled "An Act amending Acts of 1935, Forty-fourth Legislature, Special Laws, Page 1210, Chapter 45, prohibiting transportation of minnows of any and all species outside of the counties wherein such minnows are caught, seined, or taken, by adding thereto the Counties of Parker, Jack, and Young; providing a penalty; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODRUFF, Chairman.

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 13 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 3 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 20 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,

Austin, Texas, June 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on

Enrolled Bills, have had S. B. No. 2 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,

Austin, Texas, June 24, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 29 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,

Austin, Texas, June 24, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 8 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,

Austin, Texas, June 24, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 18 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,

Austin, Texas, June 24, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 24 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,

Austin, Texas, June 24, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 17 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,

Austin, Texas, June 24, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 16 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No.
11 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No.
12 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 25, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No.
25 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No.
22 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No.
21 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No.
28 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on

Enrolled Bills, have had S. B. No.
15 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter W. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No.
27 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No.
26 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No.
10 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 25, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. C. R. No.
5 carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 25, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No. 19
carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, June 24, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Enrolled Bills, have had S. B. No. 25
carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Report of Senate Bills Engrossed

Senate Chamber, June 26, 1937.

Hon. Edward H. Clark, Secretary of State,
Capitol Building.

Sir: I am handing you herewith the following Senate Bills, which were engrossed by me, returned to the Secretary of the Senate and which were sent to the House of Representatives for consideration and final passage:

<i>Bill Number</i>	<i>Author</i>
1	Nelson
2	Van Zandt
3	Van Zandt
9	Van Zandt
10	Winfield, et al.
11	Moore
12	Hill
13	Westerfeld
14	Westerfeld
15	Holbrook
16	Aikin
17	Roberts
18	Hill
19	Cotten
20	Small
21	Spears
22	Winfield
25	Weinert
26	Winfield
27	Woodruff
28	Davis
29	Westerfeld

Yours very truly,

ESSIE MCGINNIS,
Engrossing Clerk

Report of Senate Bills Enrolled

Senate Chamber, June 26, 1937.

Hon. Edward H. Clark, Secretary of State,
Capitol Building.

Sir: I am handing you herewith the following Senate Bills and Concurrent Resolutions, which were enrolled by me and sent to the Governor's office:

<i>Bill Number</i>	<i>Author</i>
1	Nelson, and others
2	Van Zandt
3	Van Zandt
10	Winfield, et al.
11	Moore
12	Hill
13	Westerfeld
15	Holbrook
16	Aikin
17	Roberts
18	Hill
19	Cotten
20	Small
21	Spears

<i>Bill Number</i>	<i>Author</i>
22	Winfield
24	Neal
25	Weinert
26	Winfield
27	Woodruff
28	Davis
29	Westerfeld

<i>Concurrent Resolution Number</i>	
2	Burns
5	Holbrook
8	Pace
10	Stone

Yours very truly,

ESSIE MCGINNIS,
Enrolling Clerk.

Report of Expenditures from Contingent Expense Fund of Senate

Senate Chamber,
Austin, Texas, July 2, 1937.Mr. Noel K. Brown, Journal Clerk, State Senate,
First Called Session Forty-fifth Legislature,
Austin, Texas.

Dear Mr. Brown:

I am herewith submitting to you an itemized statement of the expenditures of the Senate for contingent expenses during the First Called Session of the Forty-fifth Legislature, same to be printed in the Senate Journal. This statement shows all payments made up to and including July 2, 1937.

American Publishing Co.

Voucher No. 45

4 daily subscriptions to Austin American and 7 daily subscriptions to the Austin American- Statesman	\$ 7.12	\$ 7.12
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Austin Ice Company

Voucher No. 72

For 1600 lbs. of ice	5.44	5.44
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Austin Refinishing and Decorating Shop

Voucher No. 14

For chairs repaired and refinished	48.00	48.00
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A. C. Baldwin & Sons

Voucher No. 24

For 2600 copies of the daily Journal, 82nd day through 83rd day, pages 2027 through 2342, May 21 through May 22nd, Regular Session, 1937	1,458.26	
300 copies S. B. No. 1, 1st Called Session	2.97	1,461.23

Voucher No. 32

2600 copies each of the daily Journal, 1st day through the 5th day, pages 1 through 38, May 27 through June 3rd, 1937	189.66	
2600 copies each of the daily Journal, 6th through 8th day, pages 39 through 55, June 7th through June 10th, 1937	77.81	267.47

Voucher No. 78

2600 copies each of the daily journal, 13th day through the 16th day, pages 89 through 216, June 21 through June, 24, 1937	534.56	
2600 copies of the daily Journal, June 25, 1937, 17th day, pages 216 through 242	108.32	
300 copies each H. B. No. 12	5.95	648.83

Voucher No. 81

2600 copies each of the daily Journal, 9th day through the 12th day, pages 57 through 87, June 14 through June 17, 1937	143.30	
300 copies each S. B. No. 9	11.90	155.20

Jacque Barcus

Voucher No. 16

For services rendered the Senate Educational Committee, for service rendered November 1, 1936, to January 11, 1937, inclusive. Author- ized by Senate Resolution No. 23, 3rd Called Session of the 44th Legislature	360.00	360.00
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Voucher No. 38

Rental on 1 typewriter May 27, to June 25, 1937	4.00	4.00
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Mabel Berry		
Voucher No. 43		
Rental on 1 typewriter May 27, to June 25 1937	4.00	4.00
A. W. Brill		
Voucher No. 73		
Miscellaneous Porter Supplies	6.30	6.30
Newt Brunson		
Voucher No. 30		
For 1 water valve and installation for water cooler	9.00	9.00
Burroughs Adding Machine Co.		
Voucher No. 23		
1 Burroughs adding machine	217.80	217.80
W. W. Carter, Jr.		
Voucher No. 25		
100 Reams 8½x14-16 Hammermill Mimeo	53.00	
200 No. 63 Dennison Brownseal clasp envelopes	1.30	
300 No. 92 Dennison Brownseal clasp envelopes	3.64	58.02
Voucher No. 61		
20 boxes 9x15½ Blue Ant Hammermill M. S. covers	6.13	6.13
Capitol Printing Co.		
Voucher No. 79		
1000 requisition blanks	2.25	
1000 stamp requisition blanks	2.47	
4000 marginal ruled sheets	6.20	
10,000 postal cards	8.68	
400 vouchers, 4 books	4.00	
2000 postal cards	2.25	25.85
Eddie G. Cook		
Voucher No. 40		
Rental on one typewriter, May 27, 1937, to June 25, 1937, inc.	4.00	4.00
Mozelle Cowan		
Voucher No. 44		
Rental on one typewriter May 27 to June 25, 1937, inc.	4.00	4.00
Cleburne Newspaper, Inc.		
Voucher No. 69		
For one month subscription to Times-Review	1.00	1.00
Christenson-Leberman Studio		
Voucher No. 28		
For portraits for Senate group picture	13.50	13.50
Jos S. Dunlap		
Voucher No. 8		
For 1 subscription to the San Antonio Light from May 12 to June 25, 1937	1.05	1.05
W. M. Hamilton and Sons		
Voucher No. 63		
For one month subscription to the Palestine-Herald	.80	.80
Joe L. Hill		
Voucher No. 46		
For expenses incurred in connection with the Senate Investigation Committee as authorized by Senate Resolution No. 12, from May 14 to May 27, 1937, inc.	80.58	80.58
Houston Post		
Voucher No. 27		
For 7 daily subscriptions to the Houston Post for one month	5.25	5.25

Kee-Lox Mfg. Co.		
Voucher No. 3		
50 boxes black 41-lb. linen bond 8½x14	30.81	30.81
D. R. Lillienstern		
Voucher No. 53		
For 28 daily subscriptions for one month to the Dallas News	23.25	
6 Texas Almanacs	4.50	27.75
McKean Eilers Co.		
Voucher No. 4		
24 boxes rubber bands	2.88	2.88
Voucher No. 62		
2 pcs. American cheesecloth	6.82	6.82
S. S. Pettus		
Voucher No. 29		
12 daily copies of the Ft. Worth Star-Telegram for one month	10.20	
1 copy Ft. Worth Star-Telegram May 27, to June 5, 1937	.30	
12 daily copies to the Houston Chronicle for one month	9.00	
4 daily copies to the Houston Press for one month	2.00	
1 daily copy for one month for the Waco News Tribune	.65	22.15
Postal Telegraph Cable Co.		
Voucher No. 21		
For messages sent and received by the State Senate for the month of May	8.93	8.93
Voucher No. 59		
For messages sent and received by the State Senate for the month of June in part	3.74	3.74
Railway Express Agency		
Voucher No. 26		
For packages sent and received by the State Senate for the month of May	6.46	6.46
Voucher No. 49		
For packages sent and received by the State Senate June 1 to June 12, 1937	10.54	10.54
Voucher No. 80		
For packages sent and received by the State Senate for June 24 to June 30, 1937	47.98	47.98
Worth S. Ray		
Voucher No. 52		
For 200 copies of Ray's Advance Session Laws as authorized by Senate Resolution No. 57 of the Regular Session and also Senate Resolution No. 15, 1st Called Session of the 45th Legislature	200.00	200.00
Remington Rand Co.		
Voucher No. 37		
Rental on ten typewriters May 22 to June 22, 1937	40.00	40.00
Voucher No. 28		
Ten pounds duplicating ink	14.00	
12 bottles correction fluid	5.88	19.88
San Antonio Express		
Voucher No. 57		
Four (4) monthly subscriptions to the San Antonio Express for 1 month	3.00	3.00

Southwestern Bell Telephone Co.		
Voucher No. 51		
For toll calls sent and received by the State Senate for the month of May and Exchange service for the month of June.....	703.82	703.82
Voucher No. 58		
For toll calls sent and received by the State Senate for the month of June in part.....	518.90	518.90
Olivia Smith		
Voucher No. 39		
Rental on 1 typewriter May 27 to June 25, inclusive, 1937	4.00	4.00
M. A. Steele		
Voucher No. 41		
Rental on 1 typewriter, May 27 to June 25, 1937, inc.	4.00	4.00
Vance Stockton		
Voucher No. 42		
Rental on 2 typewriters, May 27 to June 25, inc., 1937	8.00	8.00
Star Chemical Co.		
Voucher No. 74		
Ten gals. Pine deodorant.....	8.00	8.00
San Angelo Standard Times		
Voucher No. 11		
For one month subscription to the Morning Times70	.70
The Steck Co.		
Voucher No. 17		
1 No. 9 500 page record book.....	1.81	
1 rubber stamp	1.42	
1 No. 4512 columnar pad33	
1 doz. sets No. 155-25 alphabetical card guides	2.28	
2 doz. medium sponge bowls	3.46	
3 doz. 3 inch looseleaf rings.....	7.50	
2 doz. 2 inch looseleaf rings.....	5.00	
4 boxes Bates No. 2 paper fasteners.....	2.00	
6 bottles Stafford No. 1524 stamp pad ink.....	1.08	
1 doz. Weiss No. 35 card index trays.....	5.16	
25 No. 4526-E expansion envelopes.....	3.60	
25 No. 4516-C expansion envelopes.....	3.24	
12 sets No. 155-25 G. F. guides.....	2.28	
36 No. 3 Ideal book and Key rings.....	7.50	
36 No. 2 Ideal book and key rings.....	7.50	
12 bottles No. 1226 typene	2.76	
12 boxes star type cleaner.....	2.41	
6 bottles No. 100 Staffords ink eradicator.....	.84	
6 boxes Ideal paper clamps No. 1.....	.53	
6 boxes No. 3 Ideal paper clamps.....	.30	
5 doz. 3 inch looseleaf rings.....	12.50	
3 doz. 2 inch looseleaf rings.....	7.50	
2 gross No. 2 Mongel lead pencils.....	6.92	
10 boxes Dennison No. 2 index tabs.....	1.00	
10 boxes No. 2 Dennison reinforcements.....	.70	
2 gross No. 596 Sten pencils.....	6.92	
60M Markwell staples No. RF.....	12.12	
Less \$.50 deducted from this Voucher Acct. over payment on Voucher No. 145, Regular Session of the 45th Legislature.....	.50	108.16
Voucher No. 18		
For letterheads and envelopes.....	59.00	
2 rubber stamps78	59.78

Voucher No. 20		
Letterheads and envelopes	102.00	
200 Bates file fasteners	2.00	
12 Giant letter files	9.80	
24 No. 155 white liquid paste	6.20	
2 gross No. 2 Mongol pencils	6.92	
12 boxes 2440 thumb tacks	3.36	
6 boxes Markwell No. RF staples	6.30	136.58
Voucher No. 31		
Rental on 26 typewriters 5/11/37 to 5/23/37	37.70	
Letterheads and envelopes	14.50	
6 tubes No. 4046 Mongol No. 2 pencil leads31	
3 doz. No. 3324-B erasers	1.65	
1 gross No. 4034 tablets	3.38	57.54
Voucher No. 55		
Rental on typewriters 5/24/37 to 6/24/37	92.00	92.00
Voucher No. 56		
1 doz. No. 4055-E expansion envelopes	2.88	
1 doz. No. 4035-C expansion envelopes	2.52	
1 doz. No. 12 Liberty storage boxes	12.88	
1 doz. No. 35 Weiss index files	5.16	
6 boxes No. 2001 gummed labels60	
12 sets No. 155-25 alphabet file guides	2.28	
6 doz. No. 162 steno note-books	4.98	
6 doz. No. 4039½ commercial tablets	9.36	
2 gross Mongol No. 2 lead pencils	6.92	
2 doz. sponges, medium size	1.50	
6 boxes Markwell staples No. RF	6.30	
1200 No. 5220 malina folders	14.19	69.57
Vouchers No. 60		
2 No. B&P record books, 150 page	1.76	
1 B&P No. 614 monthly time book	1.00	
6 No. 2 stamp pads	1.50	
6 Bates refills for model B stapler	3.84	8.10
Voucher No. 70		
6 Hotchkiss No. 6A stapling machines	12.48	
24 Liberty file boxes, No. 12	24.86	37.34
Voucher No. 71		
Letterheads and envelopes	231.00	231.00
Voucher No. 82		
24 No. 12 Liberty storage boxes	24.86	
6 No. 4035-C extension envelopes	1.26	
1 gross No. 4034 commercial tablets	3.38	29.50
Texas Book Store		
Voucher No. 22		
Rent on one typewriter 1/16/37 to 5/22/37	16.00	16.00
Temple Daily Telegram		
Voucher No. 36		
One month subscription to the Temple Telegram	.60	.60
The El Paso Times and Herald		
Voucher No. 7		
One subscription to the El Paso Times and Herald for one month 6/1/37 to 7/1/37	1.30	1.30
The El Paso Times		
Voucher No. 77		
For 2 months subscription to the El Paso Times in part	1.55	1.55
The El Paso Herald Post		
Voucher No. 76		
For 2 months subscription to the Herald Post in part	1.55	1.55

The Schumacher Co.		
Voucher No. 2		
10M drinking cups	15.50	
10M drinking cups	15.50	
Miscellaneous porter supplies	3.90	34.90
Texarkana Newspapers, Inc.		
Voucher No. 66		
For 1 subscription to the Texarkana Gazette May 16 to June 16, 1937.....	.85	.85
The Laredo Times		
Voucher No. 67		
For one month subscription to the Laredo Times 5/28/37 to 6/28/37.....	.65	.65
The Fort Worth Press		
Voucher No. 68		
For one month subscription to the Press, May 27 to June 27, 1937.....	.50	.50
The Avalanche-Journal Pub. Co., Inc.		
Voucher No. 9		
For one month subscription to the Avalanche- Journal 5/30/37 to 6/30/37, inc., 1937.....	1.00	1.00
The Sherman Democrat		
Voucher No. 5		
For one month subscription to the Sherman Democrat 6/1/37 to 7/1/37, inc., 1937.....	.65	.65
The Southern Publishing Co.		
Voucher No. 6		
For one subscription to the Waco Times-Herald 6/1/37 to 7/1/3775	.75
The Times-Herald Printing Co.		
Voucher No. 10		
For two subscriptions to the Times-Herald 5/17/37 to 6/17/37	1.50	1.50
The Enterprise Co.		
Voucher No. 35		
For one subscription to the Beaumont Enter- prise and Journal 6/1/37 to 7/1/37.....	1.00	1.00
The Dallas Dispatch		
Voucher No. 12		
For one subscription to the Dallas Dispatch.....	.75	.75
The H. H. Voss Co.		
Voucher No. 75		
8 cases paper towels.....	22.80	22.80
The Walter Tips Co.		
Voucher No. 13		
1 push Button and buzzer.....	.50	.50
Voucher No. 65		
4 feather dusters	3.92	3.92
United States Post Office Capital Station		
Voucher No. 33		
Box rent for box "B" for use of the State Sen- ate, July 1 through Sept. 30, 1937.....	3.00	3.00
Voucher No. 34		
For stamps and other postage, to be used by the State Senate	700.00	700.00
At the close of the Regular Session of the 45th Legislature the Senate had on hand in postage \$1,213.92, which has been brought forward to the 1st Called Session of the 45th Legis- lature. During the First Called Session Voucher No. 34 was issued in the amount of \$700.00 making the total \$1,913.92. Of this		

amount \$1,065.30 in postage was issued to the members, officers, and committees of the Senate and \$843.53 in postage is being carried forward to the next succeeding Session of the Senate.

University Studio

Voucher No. 64

For Senate block photograph complete as authorized by S. R. No. 28, Regular Session of the 45th Legislature

75.00 75.00

Universal Bookbindery

Voucher No. 50

2 looseleaf ring binders

.71 .71

The Underwood Typewriter Co.

Voucher No. 1

For rent on 45 typewriters for use in the State Senate 5/12/37 through 5/23/37

63.00 63.00

Voucher No. 47

For rent on 39 typewriters 5/27/37 through 6/27/37

156.00 156.00

Western Union

Voucher No. 15

For messages sent and received for May, 1937

361.12 361.12

Voucher No. 54

For messages sent and received June, 1937, in part

130.83 130.83

H. G. Woodruff

Voucher No. 19

For expenses incurred and by authority of S. R. No. 25, 3rd Called Session of 44th Legislature

61.25 61.25

Total through July 2, 1937 \$7,544.18

A. W. HOLT,
Sergeant-at-Arms.

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